

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

William R. Citeroni
Debtor(s)

Bankruptcy Case No.: 18-70832-JAD
Issued Per Feb. 15, 2019 Proceeding
Chapter: 13
Docket No.: 27 - 15
Concil. Conf.: June 13, 2019 at 11:30 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated December 24, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jun. 13, 2019 at 11:30 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: ACAR Leasing, Ltd at Claim No. 7 .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: February 26, 2019

Jeffery A. Deller
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 William R. Citeroni
 Debtor

Case No. 18-70832-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: jhel
 Form ID: 149

Page 1 of 2
 Total Noticed: 48

Date Rcvd: Feb 26, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 28, 2019.

db
 14980063 +William R. Citeroni, 116 Red Maple Drive, Homer City, PA 15748-6908
 14957571 +ACAR Leasing LTD d/b/a GM Financial Leasing, PO Box 183853, Arlington, TX 76096-3853
 14957572 +AmeriCredit/GM Financial, Attn: Bankruptcy, PO Box 183853, Arlington, TX 76096-3853
 14957575 +Barclays Bank Delaware, Attn: Correspondence, PO Box 8801, Wilmington, DE 19899-8801
 14957576 +Chase Card Services, Correspondence Dept, PO Box 15298, Wilmington, DE 19850-5298
 14991393 +Citi/Sears, Citibank/Centralized Bankruptcy, PO Box 790034, St Louis, MO 63179-0034
 14957577 +Citibank, N.A., Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
 +Citibank/The Home Depot, Attn: Recovery/Centralized Bankruptcy, PO Box 790034,
 St Louis, MO 63179-0034
 14957578 +Citizens Bank, Attention: ROP-15B, 1 Citizens Drive, Riverside, RI 02915-3035
 14972517 +Citizens Bank NA, One Citizens Bank Way JCA 115, Johnston RI 02919-1922
 14957579 +Cnsltd Rcvy, 425 W 5th Ave Ste 103, Escondido, CA 92025-4843
 14992388 ++FARMERS NATIONAL BANK OF CANFIELD, PO BOX 228, NILES OH 44446-0228
 (address filed with court: Farmers National Bank of Canfield, PO Box 228, Niles, OH 44446)
 14957583 +Farmers Ntl, 20 S Broad St, Canfield, OH 44406-1401
 14957584 +First Nataional Bank/Legacy, Attn: Bankruptcy, PO Box 5097, Sioux Falls, SD 57117-5097
 14957585 +First National Bank, Attn: Bankruptcy, 4140 E. State Street, Hermitage, PA 16148-3401
 14957587 +Mariner Finance, LLC, 8211 Town Center Dr., Nottingham, MD 21236-5904
 14972514 +One Citizens Bank Way JCA114, Johnston RI 02919-1922
 14957595 +Trac/CBCD/Citicorp, Citicorp Credit/Centralized Bankruptcy, PO Box 20507,
 Kansas City, MO 64195-0507
 14994053 UNITED STATES DEPARTMENT OF EDUCATION, CLAIMS FILING UNIT, PO BOX 8973,
 MADISON, WI, 53708-8973
 14957596 ++US BANK, PO BOX 5229, CINCINNATI OH 45201-5229
 (address filed with court: US Bank/RMS CC, Attn: Bankruptcy, PO Box 5229,
 Cincinnati, OH 45201)
 14957597 +US Department of Education/Great Lakes, Attn: Bankruptcy, PO Box 7860,
 Madison, WI 53707-7860
 14991125 +WBL SPE III, LLC, c/o Stern & Eisenberg, PC, 1581 Main St. Suite 200,
 Warrington, PA 18976-3403
 14957598 +WBL SPE III, LLC, c/o Jaclyn M. DiPaola, Flaherty Fardo LLC, 812 Ivy Street,
 Pittsburgh, PA 15232-2406
 14975608 WELLS FARGO BANK, N.A., et.al., OCWEN LOAN SERVICING, LLC, ATTN: BANKRUPTCY DEPARTMENT,
 P.O. BOX 24605, WEST PALM BEACH FL 33416-4605

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14957573 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Feb 27 2019 03:45:36
 Bayview Financial Loan, Attn: Bankruptcy Dept, 4425 Ponce De Leon Blvd. 5th Floor,
 Coral Gables, FL 33146-1873
 14988180 +E-mail/Text: bkmailbayview@bayviewloanservicing.com Feb 27 2019 03:45:36
 Bayview Loan Servicing, LLC, 4425 Ponce de Leon Blvd, 5th Floor,
 Coral Gables, FL 33146-1837
 14957574 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 27 2019 03:39:05 Capital One,
 Attn: Bankruptcy, PO Box 30285, Salt Lake City, UT 84130-0285
 14984216 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Feb 27 2019 03:37:43
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 14957580 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Feb 27 2019 03:44:15 Comenitybank/wayfair,
 Attn: Bankruptcy Dept, PO Box 182125, Columbus, OH 43218-2125
 14957581 +E-mail/PDF: creditonebknofications@resurgent.com Feb 27 2019 03:37:50 Credit One Bank,
 Attn: Bankruptcy, PO Box 98873, Las Vegas, NV 89193-8873
 14960870 E-mail/Text: mrdiscen@discover.com Feb 27 2019 03:43:30 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 14957582 +E-mail/Text: mrdiscen@discover.com Feb 27 2019 03:43:30 Discover Financial, PO Box 3025,
 New Albany, OH 43054-3025
 14957586 +E-mail/Text: bankruptcy@huntington.com Feb 27 2019 03:44:51 Huntington Natl Bk,
 Attn: Bankruptcy, PO Box 340996, Columbus, OH 43234-0996
 14966266 E-mail/PDF: resurgentbknofications@resurgent.com Feb 27 2019 03:38:07 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 14966267 E-mail/Text: bkr@cardworks.com Feb 27 2019 03:43:18 MERRICK BANK,
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 14957588 +Fax: 407-737-5634 Feb 27 2019 09:24:05 Ocwen Loan Servicing, Attn: Research/Bankruptcy,
 1661 Worthington Rd Ste 100, West Palm Beach, FL 33409-6493
 14957589 +E-mail/Text: bankruptcy@ondeck.com Feb 27 2019 03:46:05 On Deck Capital Inc.,
 1400 Broadway, 25th Floor, New York, NY 10018-5225
 14986582 +E-mail/Text: bankruptcy@ondeck.com Feb 27 2019 03:46:06 On Deck Capital, Inc.,
 101 West Colfax Ave., 10th Floor, Denver, CO 80202-5167
 14986984 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 27 2019 03:37:51
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14958881 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 27 2019 03:40:41
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14986579 E-mail/Text: bnc-quantum@quantum3group.com Feb 27 2019 03:44:28
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788

District/off: 0315-7

User: jhel
Form ID: 149

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Total Noticed: 48

Date Rcvd: Feb 26, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14991087 +E-mail/Text: bncmail@w-legal.com Feb 27 2019 03:45:10 SYNCHRONY BANK,
c/o Weinstein & Riley, PS, 2001 Western Ave., Ste 400, Seattle, WA 98121-3132
14957590 +E-mail/PDF: gecsedirecoverycorp.com Feb 27 2019 03:37:35 Synch/hdceap, Attn: Bankruptcy,
Po Box 965060, Orlando, FL 32896-5060
14957591 +E-mail/PDF: gecsedirecoverycorp.com Feb 27 2019 03:38:59 Synchrony Bank,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
14957592 +E-mail/PDF: gecsedirecoverycorp.com Feb 27 2019 03:38:59 Synchrony Bank/ JC Penneys,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
14957593 +E-mail/PDF: gecsedirecoverycorp.com Feb 27 2019 03:37:35 Synchrony Bank/Gap,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
14957594 +E-mail/PDF: gecsedirecoverycorp.com Feb 27 2019 03:38:59 Synchrony Bank/Lowes,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
14975439 +E-mail/Text: bankruptcy@huntington.com Feb 27 2019 03:44:52 The Huntington National Bank,
PO Box 89424, Cleveland, OH 44101-6424

TOTAL: 24

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Bayview Loan Servicing as servicer for Metropolita
cr WBL SPE III, LLC
cr WELLS FARGO BANK, N.A. ET. AL.
cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 3, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 28, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 26, 2019 at the address(es) listed below:

Christopher M. McMonagle on behalf of Creditor WBL SPE III, LLC cmcmonagle@sterneisenberg.com,
bkcecf@sterneisenberg.com
Corey J. Sacca on behalf of Debtor William R. Citeroni csacca@bononilaw.com,
coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecmail@gmail.com;r39887@notify.bestcase.com
James Warmbrodt on behalf of Creditor Bayview Loan Servicing as servicer for Metropolitan
Life Insurance bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Thomas Song on behalf of Creditor WELLS FARGO BANK, N.A. ET. AL. pawb@fedphe.com
TOTAL: 6